

EAST PALESTINE VILLAGE COUNCIL MONDAY NOVEMBER 23 2015 85 N. MARKET ST 7PM

Mayor Zuch called the meeting to order. Present was Atty. Beagle, Mr. Elzer, Mr. Cohen, Mr. Todd, Mr. Tyger and Mrs. Wisser. Also present was Village Manager Pete Monteleone, Finance Director Traci Thompson, and Clerk Misti Martin (Atty. Powers was not present). The minutes of the November 9, 2015 meeting were approved on a motion by Mr. Cohen seconded by Mrs. Wisser. There were no monthly department reports.

AGENDA: DAN SCOTT-DOGS IN THE PARK. Mr. Scott expressed his displeasure about the possibility of allowing dogs in the park. He said that he along with many others have played sports in the main field of the park for years, he said he is worried about his grandchildren playing there and touching dog feces. He said he is also worried about the dogs being loose and biting someone. He said the park is finally looking good and dogs will not help that. There was no clerks report.

MAYOR: Mayor Zuch said she isn't in favor of allowing dogs in the park because the police and the Manager will have the responsibility of enforcing the rules, she said the police department and Manager already have enough jobs to do. And also on big holidays like July 4th there are so many people there with children. Too many children and too many dogs could create a problem. She reminded we are still accepting letters of interest for Library Board; they need to be at the Municipal Building by December 7. Mr. Cohen stated that 2016 is a Charter Review Committee year (it is required every five years by Charter) and that committee is appointed by the Mayor. Mayor Zuch stated she had given council a list of board and commission reappointments for 2016 that are to be made by council. Mr. Cohen volunteered to call those members whose terms were up and ask if they would accept reappointments.

MANAGER: Manager Monteleone stated he had given council a copy of a letter from Norman Elder complimenting how well Glenview Cemetery is looking.

STREET: NO REPORT

S/P/R/C: NO REPORT. Mr. Elzer thanked Nate Foster for all of the work he does on the Haunted trail. Mr. Elzer also stated that the Christmas lights in the Park will be starting soon. Mr. Elzer asked for an update on the Sumner St. bridge project and Monteleone said they have scheduled the preconstruction meeting. Mr. Elzer asked if there were plans to repair the little bridge by the street garage where the sidewalk fell off; Monteleone said they are looking at options.

DEVEOPMENT: Mr. Elzer reminded everyone that this Saturday 28th is Small Business Saturday and asked everyone to shop local as we have a lot of very nice store with items you can't find in the big box stores.

UTILTIY: NO REPORT

FINANCE: NO REPORT ON FINANCES, however Mr. Tyger stated he agreed with Mayor Zuch about not being in favor of allowing dogs in the park.

VISITORS COMMENTS ON CURRENT LEGISLATION: In reference to Ord.23-2015 Manager Monteleone said that council had wanted time to review the contract before passing it as an emergency. He said they have a meeting scheduled with the EPA on December 10 and he feels it would be beneficial to pass the ordinance as an emergency so they can be under contract with LSSE at the time of the EPA meeting. In reference to dogs in the park and the dog park Mark Walker stated that he feels it wouldn't work, that people will always find a way to bend the rules. Dianna Elzer stated that people who do clean up after their dogs don't take them to the park because it's against the rules, if dogs are allowed to be there the people who will come will abide by the rules. The people who take them to the park currently and don't clean up after them shouldn't be representative of all dog owners. Kent Chapman asked what the motivation for the ordinance to allow dogs in the park and why did it come up again when it has been discussed previously. Mr. Cohen said it was prompted when the proposal for the dog park was brought up. Mr. Elzer said if

we allow dogs in the park that will be bringing another group of people into our park and the more people in the park the better it is for everyone. John Jurjavcic suggested an alternate location for the dog park, the area at W. Main St. and Park Ave. at the Y in the road; he said that property is city owned. That way it isn't in the park and its right off of the walking trail. Park Board member Larry Wales stated the board is fine with the dog park but they are not in favor of allowing dogs in the park generally. Carol Cope stated she is an animal lover and has grown up with them but said there is never a guarantee that a dog will not bit someone, and when it does happen she asked who is liable for it. In reference to the resolutions for phones, Mr. Elzer said that it repeatedly states "cell phones" when it should say "smart phones". Mr. Cohen said the resolution can be amended to say "smart phones".

VISITORS: John & Dot Herbert, Dianna Elzer, Dave Kibler, Dan Scott, Mark Walker, Jerry Coblentz, Larry Wales, John Simon, Don Johnson, Kent Chapman, Terri Ward, Rick Gorby, Carol Cope, John Davis, Brock Jurjavcic, John Jurjavcic, Mary Beth DiCello, Rube Ginder, Katie White.

LEGISLATION: In reference to the resolution Atty. Beagle made a motion to amend the resolution to say "smart phones" instead of "cell phones", seconded by Mr. Cohen. All in favor. Atty. Beagle introduced Res. 17-2015 and made a motion that it be read by title only. **A resolution authorizing partial reimbursement to certain municipal employees for the use of personal smart phones for municipal business.** Atty. Beagle called for a vote on Res. 17-2015. Atty. Beagle-y, Mr. Elzer-y, Mr. Cohen-y, Mr. Todd-n, Mr. Tyger-y, Mrs. Wisser-y. Atty. Beagle introduced Ord. 21-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance amending chapter 1060.00 of the codified ordinances to repeal section 1060.01 (m).** Atty. Beagle introduced Ord. 22-2015 for a second reading and made a motion that it be read by title only, seconded by Mr. Cohen. **An ordinance adopting the appropriation for the current expenses and other expenditures of the Village of East Palestine, Ohio, during the fisdcal year beginning January 1, 2016 and adopting estimated resources.** Atty Beagle introduced Ord. 23-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Lennon, smith, and Souleret Engineering Inc. for the purpose of evaluation of the municipal sanitary sewer facilities, performance of analysis of infiltration and inflow and remediation recommendations.** Atty. Beagle made a motion to suspend the rules and declare an emergency. Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. Atty. Beagle called for a vote on Ord. 23-2015. . Atty. Beagle-y, Mr. Elzer-y, Mr. Todd-y, Mr. Cohen-y, Mr. Tyger-y, Mrs. Wisser-y. 6 YES to pass. Atty. Beagle introduced Ord. 24-2015 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Brittain Motors, Inc. for the purchase of a 2015 model Silverado 3500 4wd cab, with stainless steel dump bed, Myers snow plow and accessories as set forth in the attached bid sheets and specifications for the price of fifty three thousand seven hundred forty dollars (\$53,740.00).** Mr. Cohen made a motion to go into executive session under ORC Section 121.22 G4 for the purpose of reviewing union negotiations for public employees concerning compensation, inviting the Village Manager, seconded by Atty. Beagle. All in favor. Mr. Cohen stated there would be no further business conducted following executive session.

ADJOURN: At approximately 8:10pm council came back to regular session. Mr. Todd made a motion to adjourn the meeting seconded by Mr. Elzer. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH